

Exhibit 3
Complaint



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

RUTH CROOKS AND
WANDA MALCOM,
PLAINTIFFS,
VS.
MURROW'S TRANSFER, INC.
AND DEFENDANTS A, B & C, AS
FULLY DESCRIBED BELOW,

Defendant A is the individual who was operating the truck that was involved in the subject accident, Defendants B & C are any persons or entities who participated in or who contributed and/or caused the subject motor vehicle accident or who were responsible for the management, hiring, supervision and/or training of the persons who contributed and/or caused the subject accident; or those persons or entities who employed the persons who contributed and/or caused the subject accident and/or the successors or assignees to any of the aforementioned parties. Defendants fictitiously described above as "A" through "C" are otherwise unknown to Plaintiffs at this time, or if their identities are known to Plaintiffs at this time, their identity as proper party Defendants is not known to the Plaintiffs at this time, but their true and correct names will be substituted by amendment when the aforesaid information is ascertained,

DEFENDANTS.

COMPLAINT

COME NOW the Plaintiffs, **Ruth Crooks and Wanda Malcom**, and file this Complaint against **Murrow's Transfer, Inc. and Fictitious Defendants A-C**. In support of said Complaint, Plaintiffs state the following:

PARTIES

1. Ruth Crooks is an adult resident of the state of Alabama.
2. Wanda Malcom is an adult resident of the state of Alabama.
3. Murrow's Transfer, Inc. is a North Carolina corporation doing business in the state of Alabama.

4. Defendants fictitiously described as "A" through "C" are otherwise unknown to Plaintiffs at this time, or if their identities are known to Plaintiffs at this time, their identity as proper party Defendants is not known to the Plaintiffs at this time, but their true and correct names will be substituted by amendment when the aforesaid information is ascertained.

5. The named defendants and fictitious parties are hereinafter referred to collectively as "Defendants." Defendants acted in conspiracy, in concert, and/or in an agency capacity with each other in connection with the claims alleged herein. Defendants are jointly and severally liable for the wrongful conduct alleged herein.

STATEMENT OF FACTS

6. On or about November 30, 2020, Plaintiff Crooks was exiting Interstate 59 and had come to a stop at the intersection of Carraway Blvd and 6th Avenue North in Jefferson County, Alabama. Plaintiff Malcom was a passenger in the vehicle.

7. Fictitious Defendant A was operating a tractor-trailer owned by his employer Defendant Murrow's Transfer, Inc. Fictitious Defendant A collided with the driver's side of the vehicle occupied by Plaintiffs while they were stopped at the traffic light. Fictitious Defendant A failed to keep a proper lookout and failed to yield the right of way. Fictitious Defendant A proceeded to make a left turn on to Carraway Blvd and fled the scene of the accident even though a witness caught up with him to tell him he had caused an accident. The collision caused substantial damage to Plaintiffs' vehicle.

8. At all relevant times, Fictitious Defendant A was acting within the line and scope of his employment with Defendant Murrow's Transfer, Inc.

9. Plaintiffs suffered substantial injuries proximately caused by the accident. Plaintiffs have incurred substantial medical expenses. Plaintiffs will continue to incur medical

expenses in the future. Plaintiffs have suffered extreme physical pain and suffering, emotional distress and mental anguish and will continue to do so in the future.

COUNT ONE- NEGLIGENCE

10. Plaintiffs hereby adopt and incorporate by reference all preceding paragraphs and further allege:

11. Fictitious Defendant A owed a duty to use reasonable care in the operation of the tractor-trailer.

12. Fictitious Defendant A breached this duty by failing to keep a lookout, failing to yield the right of way and failing to use reasonable precaution to avoid the subject accident.

13. As a direct and proximate result of Fictitious Defendant A's acts and/or omissions, Plaintiffs have suffered damages as described above.

COUNT TWO- WANTONNESS

14. Plaintiffs hereby adopt and incorporate by reference all preceding paragraphs and further allege:

15. At all times relevant hereto, Fictitious Defendant A's conduct was intentional, wanton, and/or outrageous and beyond the bounds of reasonableness, and was in reckless disregard for the welfare and benefit of others.

16. As a direct and proximate cause of Fictitious Defendant A's reckless and wanton conduct, Plaintiffs have suffered damages as described above.

17. Plaintiffs are entitled to compensatory and punitive damages as a result of Fictitious Defendant A's conduct.

COUNT THREE- NEGLIGENT HIRING, TRAINING AND SUPERVISION

18. Plaintiffs hereby adopt and incorporate by reference all preceding paragraphs and further allege:

19. Defendant Murrow's Transfer, Inc. owed a duty to properly hire, train and supervise its employees.

20. Defendant Murrow's Transfer, Inc. breached its duty of reasonable care by failing to properly supervise, employ, retain, and train Fictitious Defendant A.

21. As a direct and proximate result of said negligent acts and/or omissions, Plaintiffs have suffered damages as described above.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiffs demand judgment in their favor on all counts and against the Defendants as follows:

- (a) compensatory damages;
- (b) punitive damages;
- (c) all costs of bringing this suit; and
- (d) such other and further relief as the Court deems just and proper under the circumstances.

/s/ Champ Lyons, III

CHAMP LYONS, III
COUNSEL FOR PLAINTIFF

OF COUNSEL:

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Please serve Defendant via Certified U.S. Mail at:

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1660 Blair Street
Thomasville, NC 27360